

# Bylaw Review Committee 01/22/2020 Minutes (Revised for Review)

## Attendees:

David Seligman (DS)  
Mary McGurn (MM)  
Jenn Frederick (JF)  
Eileen Vining (EV)  
Richard Allen - Guest (RA)  
Marj Wexler - Guest (MW)  
Chet Delaney - Guest (CD)

Called to order by Chair David Seligman at 5:35 p.m.  
Minutes from the last meeting were amended and approved.

## Membership

- DS resigns as chair effective 1/23
- A few new members may attend the Feb. 4 Selectboard meeting for appointment to this committee

## Review of Bylaws

### Bylaw 6 (Reviewed by DS)

- 6.1.2: Committee discusses more definition around the position of Tax Collector: Who is the tax collector? How is the tax collector appointed? How is "Municipal Licensing Authorities" defined? No resolution to these questions.
- 6.2: Agree to clean up language here
- 6.3: Town accountant—how is this position defined and appointed? No resolution to this question.

### Bylaw 1 (Reviewed by MM)

Committee discusses detailed review of proposed revisions of Bylaw 1 and agrees on draft language of revisions. Language needs to be refined before finalized.

- **Discussion of proposed changes to 1.2**
  - **Original text**, with notes from MM  
1.2 Quorum  
1.2.1 The presence of sixty (60) (we postponed discussion on this number) voters at a Town Meeting for the transaction of business shall constitute a quorum. Sixty voters shall constitute a quorum at a town meeting., except for a motion to adjourn, for which no quorum shall be required. The number of persons constituting a quorum may only be altered at an Annual Town Meeting. (by a majority vote) (by a 2/3's vote.)
  - **Revised text** per discussion of committee  
Sixty voters shall constitute a quorum at a town meeting. The number of persons constituting a quorum may only be altered at an Annual Town Meeting-.
- **Discussion of proposed changes to 1.3**
  - **Original text**, with notes from MM  
1.3 Posting  
1.3.1 Attested copies of all Town Meeting Warrants shall be posted by the Town Constable,

or other person so designated by the Board of Selectmen, in four (4) public places or more within the Town and ~~on the Town's website-~~ **as an easily accessible PDF** for at least fourteen (14) days ~~-(Eileen suggested 21 days)~~ before the holding of said meeting. ~~or to take any other action relative thereto.~~ **The four public places must include at least one in north egremont and at least one in south egremont. Town Hall, the South Egremont Post Office, the North Egremont Post Office and the Egremont Free Library. Copies of the Warrants shall be available to the public at the on the date and time and at the location of Town Meetings.**

- **Revised text** per discussion of committee

#### 1.3 Posting

1.3.1 Attested copies of all Town Meeting Warrants shall be posted by the Town Constable, or other person so designated by the Board of Selectmen, in four (4) public places or more within the Town and on the Town's website-for at least fourteen (14) days before the holding of said meeting. The four public places must include at least one in North Egremont and at least one in South Egremont. Copies of the warrant shall be available to the public at the Town Meetings.

- Comments: clarify "Town Meeting Warrants" to discuss at next meeting, to make sure it is clear that this applies to both "annual" and "special" town meetings

- **Discussion of proposed changes to 1.4**

- **Original text**, with notes from MM

#### 1.4 Voting

1.4.1 Articles in the Warrant shall be acted upon in the order in which they stand, ~~unless the meeting shall direct otherwise by majority vote~~ **unless at said meeting a majority vote directs otherwise**. ~~No article shall be prejudiced by such action.~~

1.4.2 ~~All motions at a Town Meeting shall be reduced to writing if so requested by the Moderator or any legal voter.~~ **The Moderator or any voter can request any motion or amendment at Town Meetings to be in writing. Motions pertaining to expenditures must be presented in writing.**

1.4.3 Any vote **at a Town Meeting** to raise and appropriate money by issuing bonds or notes of the Town except as provided in Section 17 of Chapter 44 of the General Laws and amendments thereto and any vote concerning a raise in the limit of indebtedness of the Town hereafter taken shall be ~~acted upon at any annual town meeting or special town meeting in the warrant for which such article or articles appear~~ by written secret ballot.

- **Revised text** per discussion of committee

#### 1.4 Voting

1.4.1 Articles in the Warrant shall be acted upon in the order in which they stand unless at said meeting a majority vote directs otherwise.

1.4.2 The Moderator or any voter can request any motion at Town Meetings to be in writing.

1.4.3 Any vote at a Town Meeting to raise and appropriate money by issuing bonds or notes of the Town except as provided in Section 17 of Chapter 44 of the General Laws and

amendments thereto and any vote concerning a raise in the limit of indebtedness of the Town hereafter taken shall be by written secret ballot.

- **Discussion of proposed changes to 1.5**

- **Original text**, with notes from MM

1.5 Special Town Meeting (suggest placing it under 1.3 Posting as 1.3.2)

1.5.1 The Selectmen shall place in the local ~~newspaper~~ **news media** a synopsis of the warrant for any special town meeting at least fourteen (14) days before the date of said meeting and ~~copies of the warrant shall be available to the public at the place of said meeting.~~

- Motion passes to strike this section providing that 1.3.1 is made clear that it applies to both Annual and Special town meetings
- RA to research whether a synopsis is required in MGL

- **Discussion of proposed changes to 1.6**

- **Original text**, with notes from MM

1.6 Right of Speech

1.6.1 All Town of Egremont property tax payers have the same right to speak at the Town's Annual Meeting and all other town meetings as those who are registered to vote in the Town of Egremont, subject to the right of the ~~Egremont~~ Town Moderator to maintain order at Town Meetings.

- Committee amenable to change in section title from "Right of Speech" to "Right to Speak"

- **Revised text** per discussion of committee

1.6 Right to Speak

1.6.1 All Town of Egremont property tax payers have the same right to speak at the Town's Annual Meeting and all other town meetings as those who are registered to vote in the Town of Egremont, subject to the right of the Moderator to maintain order at Town Meetings.

## **Additional Points of Review: Structure and Methodology**

Committee discusses restructuring each subsection of a Bylaw so that it flows more logically. EV presented a draft document to demonstrate the idea. We agree to review EV's draft document at the next meeting on Feb.5.

## **Additional Style and Formatting Edits**

- Committee agreed to a renumbering of the document that eliminates subsection numbering if there is only one section.
- We agree there is inconsistent use of capitalization throughout the document. We don't resolve whether or not we will fix this for the town meeting.

## **Looking Ahead to Town Meeting**

Committee discusses the best approach to presenting changes to the Bylaws at the town meeting. How granular can we get in our changes without presenting too many changes to the citizenry at the town

meeting? How many articles will the Committee present? How much discussion will each article generate at the town meeting? This is an ongoing discussion; we did not resolve the issue.

**Meeting adjourned at 6:59 p.m.**